

PHILIP M. MILLER (SBN 87877)  
ANNE M. BEVINGTON (SBN 111320)  
KIMBERLY A. HANCOCK (SBN 205567)  
SALTZMAN & JOHNSON LAW CORPORATION  
44 Montgomery Street, Suite 2110  
San Francisco, CA 94104  
(415) 882-7900  
(415) 882-9287 – Facsimile  
[pmiller@sjlawcorp.com](mailto:pmiller@sjlawcorp.com)  
[abevington@sjlawcorp.com](mailto:abevington@sjlawcorp.com)  
[khancock@sjlawcorp.com](mailto:khancock@sjlawcorp.com)

Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

AUTOMOTIVE INDUSTRIES PENSION  
TRUST FUND, JAMES H. BENO, Trustee,  
DON CROSATTO, Trustee, MARK  
HOLLIBUSH, Trustee, STEPHEN J. MACK,  
Trustee, JOSE SANTANA, Trustee, DOUG  
CORNFORD, Trustee, JOHN DiBERNARDO,  
Trustee, and JIM WELLS, Trustee,

Plaintiffs,

v.

WASHINGTON TOWNSHIP CENTRAL  
CHEVROLET CO., a California corporation,  
doing business as CENTRAL COLLISION  
CENTER, and DOES 1 – 20,

Defendants.

Case No. C-14-05560-KAW

**STIPULATION AND ~~PROPOSED~~  
ORDER TO CONTINUE INITIAL CASE  
MANAGEMENT CONFERENCE AND  
EXTEND ALL RELATED DEADLINES,  
AND STIPULATION TO EXTEND TIME  
TO RESPOND TO COMPLAINT**

Date: March 24, 2015  
Time: 1:30 p.m.  
Courtroom: 4, 3rd Floor  
Judge: Hon. Kandis A. Westmore

**Compliant Filed: December 19, 2014**  
**Trial Date: Not Yet Set**

The parties stipulate to, and jointly request, a 60-day continuance of the Initial Case Management Conference currently set for March 24, 2015 at 1:30 p.m. in Courtroom 4, 3rd Floor of this Court, and a 60-day extension of all related deadlines, and seek the Court's approval for same. The parties further stipulate that, if the Court grants the requested continuance, Defendants' deadline to respond to Plaintiffs' Complaint be extended an additional 30-days from the current deadline of March 13, 2015. Good cause exists for the request to continue the Initial Case Management Conference for the following reasons.

- 1 -

STIPULATION AND ~~PROPOSED~~ ORDER TO CONTINUE INITIAL  
CMC AND RELATED DEADLINES; Case No. C-14-05560-KAW

1 This action arises under the Employee Retirement Income Security Act of 1974  
2 (“ERISA”), as amended by the Multiemployer Pension Plan Amendments Act of 1980 (29 U.S.C  
3 §§1001-1461 (1982)), to recover withdrawal liability amounts allegedly owed by defendant  
4 Washington Township Central Chevrolet Co., d/b/a Central Collision Center, and DOES 1-20  
5 (“Defendants”) to Plaintiffs Automotive Industries Pension Trust Fund and its Trustees  
6 (“Plaintiffs”), and to enforce the Trust Fund’s request for information under ERISA §4219(a)

7 On December 19, 2014, the Plaintiffs filed a Complaint in this matter.

8 On December 22, 2014, the Court entered its Order Setting Initial Case Management  
9 Conference and ADR Deadlines (Dkt. #5), setting the Initial Case Management Conference for  
10 March 24, 2015.

11 The Defendants have been served in the action as follows: Washington Township  
12 Central Chevrolet dba Central Collision Center was served on January 21, 2015 (Dkt. #8).

13 On February 6, 2015, the parties stipulated to a 30-day extension to March 13, 2015 for  
14 Defendants to respond to the Complaint (Dkt. #9).

15 The reason for the request is that the Defendants are in the process of reviewing and  
16 producing voluminous documents to Plaintiffs that may affect the scope of the action and the  
17 prospects for settlement, and it would promote efficiency in the handling of the case to permit the  
18 parties to review the documents before discussing early settlement, the scope of the pleadings and  
19 issues, making initial disclosures, planning discovery and conferring about the scheduling of the  
20 case.

21 Therefore, the parties respectfully request that the Initial Case Management Conference  
22 currently scheduled for March 24, 2015 be continued for 60 days.

23 No previous requests to change these dates have been submitted. The changes will not  
24 affect any other deadline on the Court’s calendar.

25 The parties also stipulate that, if the Court approves the requested continuance,  
26 Defendants’ time to respond to the Complaint is extended by an additional 30 days, to April 13,  
27 2015.

28 - 2 -

STIPULATION AND ~~[PROPOSED]~~ ORDER TO CONTINUE INITIAL  
CMC AND RELATED DEADLINES; Case No. C-14-05560-KAW

1 SO STIPULATED.

2 Dated: February 23, 2015

3 /S/ Sean T. Strauss  
Robert F. Schwartz  
4 Sean T. Strauss  
TRUCKER HUSS, APC  
Attorneys for Defendants  
5 WASHINGTON TOWNSHIP CENTRAL  
6 CHEVROLET CO., a California corporation, doing  
business as CENTRAL COLLISION CENTER

7  
8 Dated: February 23, 2015

9 /S/ Anne M. Bevington  
ANNE M. BEVINGTON  
10 SALTZMAN & JOHNSON LAW CORPORATION  
Attorneys for Plaintiffs  
11 AUTOMOTIVE INDUSTRIES PENSION TRUST  
FUND, et al.

12  
13 CERTIFICATION RE SIGNATURES

14 I attest that concurrence in the filing of this document has been obtained from the other  
15 Signatory.

16 Dated: February 23, 2015

/S/ Anne M. Bevington  
ANNE M. BEVINGTON

**ORDER**

Pursuant to the foregoing Stipulation, and good cause appearing, the Court hereby continues the Initial Case Management Conference in this action 60 days from its currently scheduled date of March 24, 2015 at 1:30 P.m. in Courtroom 4, 3RD Floor of this Court to May 26, 2015 at 1:30 p.m. All related deadlines are extended accordingly

**IT IS SO ORDERED.**

Date: 03/03/2015

  
\_\_\_\_\_  
HON. KANDIS A. WESTMORE  
UNITED STATES MAGISTRATE JUDGE